

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIRECTOR'S FINDING
Third Grant of Payment Extension
AS 38.05.020(b)(5)

The Department of Natural Resources ("DNR") is dedicated to finding ways to assist Alaskans and industry during this difficult time of economic instability caused by the impacts of the spread of the novel coronavirus known as COVID-19 pandemic affecting Alaska and the world. Many people may be unable to comply with payment requirements of their land sale contracts or leases as a result of the public health emergency related to the COVID-19 pandemic. Accordingly, pursuant to AS 38.05.020(b)(5), which authority was delegated to me as the Director of the Division of Mining, Land and Water ("DMLW"), I find that payments due to DNR under a land sale contract or lease, as described below, that are or will be prevented because of the COVID-19 pandemic are prevented by an act of God and may be extended as provided below.

BACKGROUND OF FIRST AND SECOND GRANT OF PAYMENT EXTENSION

On March 31, 2020, Governor Dunleavy issued the COVID-19 Disaster Order of Suspension No. 2, including Appendix A, which was subsequently amended on April 1, 2020. This Order suspended various statutes and regulations requiring certain payments and fees to the DNR-DMLW, effective from April 1, 2020 until 11:59 p.m. on May 11, 2020 ("suspended payments"). On April 6, 2020, I issued a Director's Finding extending the time for all payments and fees due between April 1, 2020 and 11:59 p.m., May 11, 2020 for land sale contract and lease payments that are or will be prevented because of the COVID-19 pandemic.

The Governor's COVID-19 Disaster Order of Suspension No. 2 – Appendix A was again amended (amendment 6), on May 11, 2020. Amendment 6 to Appendix A of the Order extended suspensions of various statutes and regulations requiring certain payments and fees to the DNR-DMLW, from May 11, 2020 through 11:59 p.m. on July 31, 2020 ("suspended payments"). Consistent with the Governor's amendment 6 to Appendix A of the Order for the fees and payments suspended, I found that it was in the public interest to grant a further extension of time for all payments and fees due from 12:00 a.m. on May 12, 2020 through 11:59 p.m., July 31, 2020 for land sale contract and lease payments that were prevented because of the COVID-19 pandemic. All payments and fees that were due during that time frame were extended from April 1, 2020 through 11:59 p.m., July 31, 2020 under both the April 6, 2020 and the May 12, 2020 Director's Finding and were to be paid by 5:00 p.m. on September 30, 2020.

THIRD GRANT OF PAYMENT EXTENSION

The Governor's COVID-19 Disaster Order of Suspension No. 2 – Appendix A was again amended (amendment 10) on July 30, 2020. Similar to previous amendments to the Order, suspensions of various statutes and regulations requiring certain payments and fees to the DNR-DMLW are now extended through 11:59 p.m. September 30, 2020. Consistent with the Governor's amended Order for the fees and payments suspended, I find that it is in the public interest to grant a further extension of time for all payments and fees due from **12:00 a.m. on August 1, 2020 through 11:59 p.m., September 30, 2020** for land sale contract and lease payments that are or will be prevented because of the COVID-19 pandemic, under the conditions outlined below. All payments

and fees due, that are extended from April 1, 2020 through 11:59 p.m., September 30, 2020 under both the April 6, 2020 and the May 12, 2020 finding, as well as this Director's Finding, must be paid by 5:00 p.m. on October 31, 2020.

Conditions for Extension

To be granted an extension of time to make a land sale contract or lease payment **as described above**, an affected person must submit a written request for an extension to dnr.dmlw.financialassistance@alaska.gov, explaining how the COVID-19 pandemic prevented them, or will prevent them, from making the required payment under the authorizations listed below:

- 1) Installment payments under land sale contracts issued under AS 38.05.065;
- 2) Land lease or tidelands lease rental payments under contracts issued under AS 38.05.070;
- 3) Land lease rental and deposit payments under a remote recreational cabin site lease issued under AS 38.05.600;
- 4) Shore Fishery Lease payments under a lease contract issued under AS 38.05.082;
- 5) Aquatic Farmsite and Hatchery Site Lease payments under a lease contract issued under AS 38.05.083;
- 6) Upland Mining or Mill Site Lease payments under a lease contract issued under AS 38.05.205 or AS 38.05.255;
- 7) Public and Charitable Lease payments under a lease contract issued under AS 38.05.810; or
- 8) Offshore Mining Lease payments under a lease contract issued under AS 38.05.250.

To be granted, a request for an extension must be submitted as directed above and must explain how the person is or will be prevented from making a payment because of the COVID-19 pandemic.

Signed Krista A. Huss, Deputy Director Date 7/31/2020
for Martin W. Parsons
Director, Division of Mining, Land and Water
Department of Natural Resources